

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BARBARA A. WILHELM,

CIVIL NO. 1:CV-01-1057

Plaintiff

v.

COMMONWEALTH OF
PENNSYLVANIA; PENNSYLVANIA
STATE POLICE; COL. PAUL J.
EVANKO, COMMISSIONER;
LT. COL. THOMAS K. COURY;
and CPT. MICHAEL D. SIMMERS,

Defendants

FILED

JUL 11 2002

PER MA
HARRISBURG, PA DEPUTY CLERK

ORDER

Before the court is Defendants' motion *in limine* to preclude evidence relating to 1993 allegations of sexual harassment against Defendant Simmers. The court notes first that, to the extent Plaintiff considers this evidence relevant to Evanko's evaluation of the candidates for Director of Legislative Affairs Office, the same is not relevant as the promotion claim is not an issue in the captioned action. Second, the claims of sexual harassment were not sustained by arbitration and the court will not retry those 1993 claims. Third, sexual harassment is not an issue in this case, and fourth, the incident is too remote in time.

Accordingly, **IT IS HEREBY ORDERED THAT** Defendants' motion *in limine* is **GRANTED** and the 1993 allegations against Defendant Simmers is precluded.

Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: July // , 2002.